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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,844	04/13/2004	Urban Widlund	1517-1044-1	3202

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EXAMINER

PATEL, DHARTI HARIDAS

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,844

Applicant(s)

WIDLUND, URBAN

Examiner

Dharti H. Patel

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 23, 2-4, 7-14, 16, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefevre Du Grosriez et al., Patent No. 6,602,575, in view of Annand, Patent No. 5,540,354. With respect to claim 1, Lefevre teaches a stack of material sheets [Fig. 5, 50] comprising material sheets having a longitudinal direction [Fig. 1a, 22] and a transverse direction [Fig. 1b, 30]; each of said material sheets being folded at least once said transverse direction along a transverse folding line [Fig. 1b, 30], and least once in said longitudinal direction along a longitudinal folding line [Fig. 1a, 22, Col. 1, lines 7-11]; each of said material sheets comprising rectangular panels [Fig. 1a, 24, 26] having two delimiting edges formed from said at least one longitudinal fold line and said at least one transverse fold line; consecutive material sheets in said stack being folded into one another and interlinked by said panels [Fig. 6, Col. 5, lines 54-59]; said panels arranged such that a single panel [Fig. 6, 323] of a first material sheet [Fig. 6, 363] is enclosed two panels [Fig. 6, 342, 322] of a next material sheet [Fig. 6, 362] and a longitudinal fold edge of said first material sheet [Fig. 6, 363] is arranged opposite a corresponding longitudinal fold edge of said next

second material sheet [Fig. 6, 362]; and said panels providing sufficient interlinking between consecutive material sheets such that when a first material sheet is extracted, a predetermined part of a next second material sheet is fed out [Col. 1, lines 34-38]. However, Lefevre does not disclose a rectangular panel having a single material sheet thickness.

Annand teaches a method of producing compressed packets of tissues. Annand teaches material sheets [Fig. 4, 20] comprising rectangular panels having a single material sheet thickness.

Both teachings are analogous methods for stacking supply sheets. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Annand, with the method of Lefevre, because a panel having a thickness of a single sheet would save space in a dispenser.

With respect to claim 2, Lefevre teaches that the interlinking panel [Fig. 2, 342] constitutes a quarter of the total area of the unfolded material sheet [Fig. 6, 362].

With respect to claim 3, an eighth of the total area is achieved by one additional longitudinal folding of reference, which is already folded in one-quarter panels, and thus could easily be achieved by one of ordinary skill in the art if so desired.

With respect to claim 4, Lefevre teaches that the interlinking panel [Fig. 6, 342] is a square.

With respect to claim 7, Lefevre teaches that the material sheet is a tissue sheet, or a material sheet consisting of non-woven or of equivalent flexible wiping material [Col. 7, line 12].

With respect to the limitation of a surface area of a material sheet in claims 8-11, a surface area in an unfolded state of 100 cm^2 – 1500 cm^2 and between 25 cm^2 – 375 cm^2 in an interfolded state is very common in the art. Furthermore, it has been held that where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experiment. In re Aller, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955).

With respect to claim 12, Lefevre teaches that the stack of materials sheets is arranged in a dispenser [Col. 1, lines 44-46].

With respect to claim 13, it would have been obvious to one of ordinary skill in the art that if the rectangular material sheet is dispensed partially, then the corner most portion exiting the slot first will be triangular. Additionally, many square boxes that dispense sheets usually have a diagonal slot which will allow for a triangular corner most portion.

With respect to claim 14, Annand teaches that the stack of material sheets is arranged in a dispenser designed as a box [Col. 4, lines 31-33].

With respect to claim 16, Annand teaches that the stack of material sheets is arranged in a dispenser made of cardboard [Col. 4, lines 31-33].

With respect to claim 19, Lefevre further teaches a method of producing a stack [Fig. 2, 50] of material sheets, which comprises the following sequential steps [Col. 3, lines 3-19]: applying a first web [Fig. 6, 363] of adjacent individual material sheets to a second web [Fig. 6, 362] of adjacent individual material sheets so that a longitudinal part of the first web overlaps a longitudinal part of the second web and so that a first material sheet [Fig. 6, 363] in the first web overlaps the first material sheet [Fig. 6, 362] in the second web with a panel [Fig. 6, 342] of the respective material sheets; said panel comprising a rectangle delimited by a longitudinal folding line and a transverse folding line; folding the second web on a longitudinal folding line so that the second web material sheets of said second web will enclose a part of the material sheets of the first web [disclosed in Fig. 6] material sheets; folding said non-enclosed part of said first web around second longitudinal folding line to enclose a part of said folded second web material sheets of step (b); folding the folded structure of c in the transverse direction on at least one of said transverse folding line in each individual material sheet so that a stack of material sheets is formed.

With respect to claim 20, Lefevre teaches that the material sheets in the respective first [Fig. 6, 363] and second [Fig. 6, 362] web are separated from one another by a mutual spacing [the spacing between panel 342 and 323 in Fig. 6] and, in connection with the webs combined with one another, the first material sheet [Fig. 6, 363] in the first web overlaps the first material sheet [Fig. 6, 362] in the second web with a panel [Fig. 6, 342] of the respective material sheets; said

panel comprising a rectangle delimited by a longitudinal folding line and a transverse folding line.

With respect to claim 21, Lefevre teaches that the material sheets in the respective webs are arranged at a mutual spacing [the spacing between panel 342 and 323 in Fig. 6] corresponding to half the length of the material sheet [This thickness to length ratio will be determined by the user selection of the thickness of the original sheet].

With respect to claim 22, Lefevre teaches that the longitudinal folding line [Fig. 2, 281, 282, 283] in the material sheets of at least one web is arranged so that it runs along a centre line in said web.

2. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefevre Du Grosriez et al., in view of Annand as applied to claims 1-4 above, and further in view of Heathcock et al., Patent No. 6,012,572. Lefevre teaches a longitudinal center-line, but does not disclose that at least one longitudinal folding line is somewhat displaced in relation to the longitudinal center line in at least one of the two consecutive material sheets. Heathcock teaches a facial tissue dispensing system for dispensing large tissues. With respect to claim 5, the dispensing system comprises a stack of tissues [Fig. 11, 60] wherein at least one longitudinal folding line [Fig. 11, 76, 78] is somewhat displaced in relation to the longitudinal center line in at least one of the two consecutive material sheets [Col. 6, lines 28-44].

All three teachings are related by being stacks of material sheets arranged in a dispenser. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Heathcock, which teaches a longitudinal folding line displaced in relation to the longitudinal center line, with the stack and method for stacking folded supple sheets of Lefevre to decrease the size of the sheet in the longitudinal dimension about fold lines to fit inside the portable pack container.

With respect to claim 6, Heathcock teaches a dispensing system that comprises a stack of tissues wherein at least one transverse folding line [Fig. 8, 70, 72, 74] is somewhat displaced in relation to a corresponding transverse center line in at least one of the two consecutive material sheets [Col. 4, 42-57].

3. Claims 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefevre Du Grosriez et al., in view of Annand as applied to claims above, and further in view of Wu, Publication No. US 2003/0213810A1. Lefevre teaches a stack and method for stacking folded supple sheets, but does not disclose that the stack of material sheets is arranged in a dispenser having two obstacles lying on the stack; said obstacles being joined by two oppositely positioned side arrangements and a bottom plate. With respect to claim 15, Wu teaches a stack of folded sheets in a dispenser [Fig. 1, 10] having two obstacles [Fig. 1, two sides of opening 17] lying on the stack; said obstacles being joined by two oppositely positioned side arrangements and a bottom plate [Fig. 3, 26].

All three teachings are related by being stacks of material sheets arranged in a dispenser. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wu, which teaches a dispenser having two obstacles, with the stack and method for stacking folded supple sheets of Lefevre for the benefit of withdrawing the sheets from the dispenser one at a time.

With respect to claim 18, Wu teaches that the stack of material sheets is arranged in a dispenser [Fig. 3, 10] having a bottom plate [Fig. 3, 26] which is coated with an attachment means [Page 1, Paragraph 16].

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lefevre Du Grosriez et al., in view of Annand and Wu, as applied to claim 15 above, and further in view of Leto, Patent No. 5,678,728. Lefevre Du Grosriez and Wierschke do not disclose that the stack of material sheets is arranged in a dispenser made of metal. Leto teaches that the stack of material sheet is arranged in a dispenser made of metal [Col. 2, lines 24-27].

All four teachings are related by being stacks of material sheets arranged in a dispenser. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Leto, which teaches a metal dispenser, with the dispensers of Lefevre modified by Wierschke to provide a dispenser from which flexible sheets can be easily withdrawn one at a time.

Response to Arguments

5. Applicant's arguments with respect to claim 23 have been considered but are moot in view of the new ground(s) of rejection. A new reference by Annand teaches that the panel has the thickness of a single sheet.

With respect to the arguments of claim 19 on page 9, Lefevre discloses a method of producing a stack of material sheets by following a first step of applying a first web of individual material sheets to a second web of individual material sheets and a next step of folding the second web along a first longitudinal folding line so that the second web encloses a part of the first web as disclosed in Fig. 19 and Col. 3, lines 3-19.

With respect to the arguments of claims 5-6 on page 10, the new reference by Annand teaches the shortcoming of Lefevre. Annand teaches a stack of material sheets wherein each sheet includes panels, each panel arranged such that a single panel of a first material sheet is enclosed by two panels of a next second material sheet as disclosed in Fig. 4.

With respect to the arguments of claims 14 and 16 on pages 10-11, the new reference by Annand teaches the shortcomings of Lefevre. Annand teaches a method of stacking material sheets as recited in claims 19 and 23.

With respect to the arguments of claims 15 and 18 on page 11, the new reference by Annand teaches a method of producing the stack of material sheets as current recited in claims 19 and 23.

With respect to the arguments of claim 17 on page 11, the new reference by Annand teaches the shortcomings of Lefevre.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dharti H. Patel whose telephone number is 571-272-8659. The examiner can normally be reached on 8:30am - 5pm.

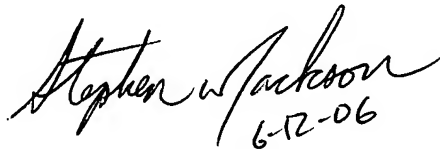
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571-272-2800, Ext. 36.

Art Unit: 2836

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHP
06/12/2006

A handwritten signature in cursive script that reads "Stephen W. Jackson" with the date "6-12-06" written below it.

STEPHEN W. JACKSON
PRIMARY EXAMINER